

## THE BASIL LAW GROUP

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July 13, 2023

VIA ECF  
The Honorable John P. Cronan  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Shin*, 19 Cr. 552 (JPC)**

Dear Judge Cronan:

As you will recall, this firm represents Edward Shin in the referenced matter. I am writing to request an amendment to the sentence and judgment standard conditions of supervision, specifically regarding Section #3. See Exhibit A.

On October 17, 2022, Mr. Shin's sentence was amended to restrict Shin's residential limitations to EDPA only. However, Mr. Shin had been placed on pretrial probation with travel restrictions covering SDNY, EDNY, DNJ, and EDPA for a duration of 42 months. There were no problems reported with this more liberal arrangement.

The limitation to EDPA only has significantly impacted Shin's life. Mr. Shin's potential work opportunities, his immediate family members, and his traditional social connections are located almost entirely in New Jersey, New York City, and Eastern Pennsylvania. Indeed, Mr. Shin would benefit from occasional in-person visits with the undersigned as we map out Mr. Shin's post-incarceration life. You may recall that I promised the Court that I would be involved in Mr. Shin's post-incarceration life decisions to assure that he conformed his conduct to the promises Mr. Shin made to the Court during sentencing. In-person visits are preferable for those purposes.

Mr. Shin is scheduled to begin supervised release during September 2023. His goal is to rebuild relationships, search for employment within the New York and New Jersey Korean communities, and to reintegrate himself into these communities for which he was once a vital component. As the Court is aware, a felony conviction is no longer a sentence to a lifetime of unemployment, but searching for employment at age 60 is often challenging, even without a felony conviction.

Therefore, I respectfully request an amendment to the sentence and judgment standard conditions of supervision, allowing Mr. Shin to expand his travel restrictions to "SDNY/EDNY/DNJ/EDPA."

The Basil Law Group, P.C.

July 13, 2023

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Thank you for your attention to this matter. Your favorable consideration and decision of this amendment will greatly assist Mr. Shin's successful reintegration into his communities and will undoubtedly facilitate his re-establishment of a productive life.

Respectfully,

/s Robert J. Basil

ROBERT J. BASIL, ESQ.

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Attorney for Defendant Edward Shin

Cc: Assistant U.S. Attorney Tara LaMorte

Assistant U.S. Attorney Anden Chow

Assistant U.S. Attorney Jessica Greenwood

Paul Brickfield, Esq.

## EXHIBIT A

# UNITED STATES DISTRICT COURT

Southern District of New York

UNITED STATES OF AMERICA

v.

Edward Shin

**AMENDED JUDGMENT IN A CRIMINAL CASE**

Case Number: 1:19-CR-552 (JPC)

USM Number: 86921-054

Date of Original Judgment: 10/7/2022

(Or Date of Last Amended Judgment)

Paul Brickfield (201) 488-7707

Defendant's Attorney

## THE DEFENDANT:

☐ pleaded guilty to count(s) \_\_\_\_\_

☐ pleaded nolo contendere to count(s) \_\_\_\_\_  
which was accepted by the court.

☒ was found guilty on count(s) 1sss, 2sss, 3sss, 4sss, 5sss and 6sss  
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

| <u>Title &amp; Section</u> | <u>Nature of Offense</u>                                       | <u>Offense Ended</u> | <u>Count</u> |
|----------------------------|--|----------------------|--------------|
| 18 USC 1349                | Conspiracy to commit bank fraud & wire fraud (fin institution) | 2013                 | 1sss         |
| 18 USC 371                 | Conspiracy to commit bank bribery                              | 2013                 | 2sss         |
| 18 USC 215(a)(2) and 2     | Bank bribery   | 2013                 | 3sss         |

The defendant is sentenced as provided in pages 2 through 8 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_

☒ Count(s) 1-6, 1s-6s, 1ss-6ss ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

10/17/2022

Date of Imposition of Judgment

Signature of Judge

John P. Cronan,

U.S. District Judge

Name and Title of Judge

10/17/2022

Date



DEFENDANT: Edward Shin

CASE NUMBER: 1:19-CR-552 (JPC)

**STANDARD CONDITIONS OF SUPERVISION**

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. You must follow the instructions of the probation officer related to the conditions of supervision.

**U.S. Probation Office Use Only**

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_



**ADDITIONAL CONDITIONS OF RELEASE**

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐ (6) The defendant is placed in the custody of:

Person or organization \_\_\_\_\_

Address (only if above is an organization) \_\_\_\_\_

City and state \_\_\_\_\_

Tel. No. \_\_\_\_\_

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: \_\_\_\_\_

Custodian

Date

- ☒ (7) The defendant must:

- ☒ (a) submit to supervision by and report for supervision to the PSA AS DIRECTED,  
telephone number \_\_\_\_\_, no later than \_\_\_\_\_.

- ☐ (b) continue or actively seek employment.

- ☐ (c) continue or start an education program.

- ☒ (d) surrender any passport to: PRETRIAL SERVICES

- ☒ (e) not obtain a passport or other international travel document.

- ☒ (f) abide by the following restrictions on personal association, residence, or travel: SDNY/EDNY/DNJ/EDPA

- ☐ (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: \_\_\_\_\_

- ☐ (h) get medical or psychiatric treatment: \_\_\_\_\_

- ☐ (i) return to custody each \_\_\_\_\_ at \_\_\_\_\_ o'clock after being released at \_\_\_\_\_ o'clock for employment, schooling, or the following purposes: \_\_\_\_\_

- ☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- ☐ (k) not possess a firearm, destructive device, or other weapon.

- ☐ (l) not use alcohol ( ☐ ) at all ( ☐ ) excessively.

- ☐ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- ☒ (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- ☒ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- ☐ (p) participate in one of the following location restriction programs and comply with its requirements as directed.

( ☐ ) (i) **Curfew.** You are restricted to your residence every day ( ☐ ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ☐ ) as directed by the pretrial services office or supervising officer; or

( ☐ ) (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

( ☐ ) (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

- ☐ (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

( ☐ ) You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- ☐ (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.